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Dkt. 0575-56330-A/JPW/PJP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Judah Z. Weinberger

Serial No. : 09/803,773 Examiner: C. A. Marmor, II

Date Filed : March 12, 2001 Group Art Unit: 3736

For : METHOD AND APPARATUS FOR TREATING A DISEASE  
PROCESS IN A LUMINAL STRUCTURE

1185 Avenue of the Americas  
New York, N.Y. 10036  
June 10, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

This Response is filed in response to the Notice of Non-Compliant Amendment issued May 31, 2005 in connection with the above-identified application. A response to the Notice is due June 30, 2005. Accordingly, this Response is timely filed.

In the Notice the Examiner stated that the status identifiers and claim markings reflecting the amendments to the claims are inaccurate because the wrong version of the claims has been submitted. The Examiner stated that claims filed February 10, 2005 are consistent with the claims filed on December 22, 2003

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Final Rejection of April 19, 2004, rather than the most recent version of the claims filed July 21, 2004 to be considered with the RCE of October 20, 2004.


In response, applicant attaches as Exhibit A a new listing of claims which are based on the most recent version of the claims dated July 21, 2004.


No fee is believed to be due in connection with this Communication. If any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account Number 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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